

DELEGATED OFFICER REPORT:**Application Ref:** F/24/97969**Site Address:** 103 LEIGH ROAD, EASTLEIGH, SO50 9ZQ**Case Officer:** Clare Martin

Description: Change of use from offices to 1no. eight bed house in multiple occupation with single storey rear extension, hip to gable extension, 1no. rear dormer window, boundary treatment, car parking and external amenity space

Particular Site Constraints?	Yes ☐	No ☐
• Within Urban Edge • Within Eastleigh's Urban Renaissance Quarter • Within Air Quality Management Area • Within Nutrient Neutrality Catchment Area (Nitrates and Phosphates) • Within New Forest Recreational Disturbance 13.8km Buffer		

Planning History?	Yes ☒	No ☐
<u>Application Site</u> • F/18/83290 - Alterations and extensions following the conversion of B1(a) office to 3no.flats (C3) and associated parking, cycle and bin storage – Permitted (August 2018) • PN/17/91503 – Prior approval for change of use from office Class b1(a) to four dwellings – Granted (October 2017) • Z/14531 – Replacement storage building and provision of additional parking spaces - Permitted (May 1995) <u>107-109 Leigh Road</u> • F/24/97730 - Conversion of offices (Class E) to form 2.No HMO's each for 7 unrelated persons (sui generis), single storey side/rear extension to No 107, amenity space, parking and alterations to fenestration – Permitted (September 2024)		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	<u>1 letter of objection</u> • Inadequate parking leading to vehicle over spill on nearby congested streets • The bin storage area is inadequate, numerous wheelie bins placed on public footpaths, left obstructing the highway, impeding access and contrary to the disability Act. • Cramming of people into small apartments, in dwellings that were never designed to house so many people, has resulted in run down areas of Eastleigh, overcrowding, excess noise and pollution, refuse bins discarded, overflowing with rubbish, creating an unsightly mess. <u>Planning Officer Response</u> Comments are noted and the amount of development, car parking, bin and cycle storage are covered in the assessment section.		

	While it is noted that the proposed eight bedroomed HMO may generate more noise than the previous office use, the principle of the HMO is not considered unreasonable give that the site is within a busy residential/ commercial area. Please note that the Council also has statutory nuisance controls, which are separate to the planning application.
Environmental Health (Noise):	<u>Comment</u> (subject to noise assessment condition) • The applicant has indicated willingness for acoustic glazing and mechanical ventilation system. • I have assumed the adjacent semi-detached property is still in a commercial use (previously a nursery). The noise levels to amenity spaces may be problematic but the applicant seem OK with acoustic fencing. • The other items in the proposed works are encompassed by Building Regulations. • The Applicant has indicated works to the party wall.
Environmental Health (Pollution):	<u>Contaminated Land</u> The application site is not located within a land with identified former contaminative use; however, made ground could be present due to existing structures. Note to Applicant: Should any unforeseen contamination be encountered in the ground during demolition and construction process, appropriate measures should be taken in line with relevant regulations and guidance. <u>Air Quality</u> The proposed development site is located within the Eastleigh Air Quality Management Area, AQMA, designated for exceedances of Government guideline for nitrogen dioxide, NO₂, arising from road traffic. Note to Applicant: It is advised that the contractor considers the provision of internal ventilation avoiding drawing in polluted air from the road facing facades. Our preference for ventilation is to obtain fresh air from the rear side of the dwelling using a mechanical system.
Transport Officer (HCC):	<u>No Objection</u> <u>Access</u> Access in and out of the site is unchanged for both vehicles and pedestrians. Vehicle access is achieved via the rear service road running between Nutbeam Road and Chamberlayne Road, and pedestrian access can be gained via the same route, as well as from existing footways on Leigh Road to the frontage of the site. The site is located within walking distance of Eastleigh town centre, where employment, retail, and both bus and rail stations can be reached. <u>Car Parking</u> The proposal has two on site car parking spaces. The amended plans reflects my previous comments as to the usability of the two parking spaces to be provided and has repositioned them on site accordingly. As requested, a 6.0m turning aisle width is now provided and so easy

	turns in and out of the parking spaces from the rear access road will be easily achieved. The case officer may wish to request details of how car parking spaces are managed given if more than two residents own cars, where will others park. It may be an option that the two spaces are allocated to specific residents to avoid issues. Onwards, it should be noted that as a converted development, new residents will not be entitled to on street parking permits for the Controlled Parking Zone (CPZ) that the site sits within. Developers and onwards residents should be made fully aware of this to avoid confusion. <u>Servicing, Cycle & Bin Storage</u> Servicing will be from the rear access road as with other properties which is acceptable. There is adequate space for bins and cycles to easily pass any parked cars. Cycle parking is provided via individual cycle stores in the internal rear garden. This is acceptable in principle, but it would be recommended that the Case Officer condition both the provision and details of the storage prior to occupation to ensure they are suitable and delivered.
Housing Officer:	<u>Comment</u> I have no objections to the application, in terms of space provided and amenities. However, I do have concerns with bedrooms 3 and 4 on the ground floor, as the primary escape from these rooms is via the kitchen. Therefore these rooms will require secondary means of escape, and suitably sized fire escape windows should be installed.
Ecology Officer:	<u>Species</u> There are records of bats, nesting swifts and hedgehogs nearby. I have reviewed the photos of the building on Google maps and the photos submitted with the previous application F/18/83290. I don't see any potential bat roost features on the front or rear elevations visible from the street view or on the rear of the existing garage. A note to applicant regarding bats is recommended. <u>Biodiversity Net Gain and Enhancements</u> The site qualifies for the de minimus exemption for 10% biodiversity net gain, however no net loss of biodiversity and some biodiversity gain will still be required in accord with Local Plan policy DM 11 and NPPF paragraph 180. A bat brick and a swift brick may be appropriate enhancements for this building. Other enhancements could be green roofs on the cycle storage and bin storage areas.
Parish Council:	<u>Objection</u> - due to fact that there isn't an adequate parking strategy as highlighted by HCC.

Site Visit:	Yes ☒	No ☐
Details: Carried out 3/10/24		

Pre-commencement Conditions:	Yes ☒	No ☐
------------------------------	---	-----------------------------

Details: Email from Agent (Oliver Farr 18.10.24) agreeing pre-commencement construction environmental management plan condition.

Legislation:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Policy:

National Planning Policy Framework

Planning Practice Guidance

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are:

Strategic policies:

- S1 (sustainable development), S2 (approach to development) & S3 (location of new housing)

Development Management policies:

- DM1 (general development), DM2 (environmentally sustainable development), DM3 (climate change), DM6 (surface water management), DM8 (pollution), DM11 (nature conservation), DM13 (access), DM14 (parking), DM23 (residential development within urban areas), DM30 (internal space standards)

Area policies:

- E4 (Eastleigh's Urban Renaissance Quarter)

Supplementary Planning Documents:

Quality Places; Residential Parking Standards & Character Area Appraisals

Proposal

The proposal is to convert the existing two storey semi-detached property (which is vacant office accommodation) into an eight bedroomed house of multiple occupation. The bedrooms are split over three floors, each with an ensuite, and there is a shared kitchen/ dining room on the ground floor. The residents have access to an amenity area and dedicated cycle and bin storage. There are two on site car parking spaces provided at the rear with access off the service road.

The proposal involves the following extensions:

- A roof conversion with a side hip to gable extension, front facing roof lights and a flat roof rear dormer window. The roof space accommodates a bedroom and ensuite.
- A single storey, flat roof, rear extension measuring 4.9m(w) by 12.3m(d) by 3m(h) and partly wrapping around the side of the property. The extension accommodates two bedrooms with ensuites.
- The proposal retains the single storey flat roof extension at the side of the property.

Planning History and Surrounding Area:

The site has previously been granted permission to convert from offices into three flats (comprising 2no. 2 bed & 1no. one bed). The permission included a flat roof single storey rear extension of the same depth as the current proposal, two separate amenity areas at the side and rear of the extension and two car parking spaces with access off the rear service road. No roof alterations were proposed. While the permission has now expired it remains a material consideration. Also of relevance is the approval in September of this year for conversion of the properties at 107 & 109 into a pair of seven persons HMOs.

The surrounding area comprises a mixture of uses, predominantly residential, however there are some commercial uses, including a nursery to the immediate west that has now closed. There is also a dentist and pub within close proximity to the west, and Eastleigh town centre is a few minutes' walk to the east. The site fronts Leigh Road, which is the main western route into and through the town centre.

Assessment:

Principle

The site is within the urban edge where the principle of development is acceptable, subject to the details according with the relevant planning policies.

Policy DM23 encourages a minimum density of 40 dwellings per hectare for residential developments within urban areas, unless site constraints or local character indicates otherwise. While the HMO in planning terms is classified as a single residence, it will provide accommodation for a mixture of people which makes a more efficient use of the urban site.

The proposal is sited within a highly sustainable location close to Eastleigh Town Centre with shops, services, train and bus links in easy walking distance. The site forms part of Eastleigh's Urban Renaissance Quarter (Policy E4), which encourages well-designed, people intensive development on the approach to Eastleigh Town Centre.

Character and Appearance

Most of the external changes are at the rear of the property where they are not visible from Leigh Road. However, the hip to gable roof extension will be visible from the front and it is a shame that this will result in the loss of roof symmetry between the pair of semi-detached properties and on the neighbouring buildings. However, roof extension, and rear dormer window, are considered acceptable as these elements can usually be completed under permitted development.

The proposal also includes a single storey rear extension, which backs onto the service road. While this is a large structure, the flat roof design helps to lower its profile, and its proportions are similar to the extension previously permitted on the site. There are a number of single storey rear extensions and outbuildings visible from the service alley and so the proposal is will fit in with the pattern of development within the locality.

Living Conditions

Internally, bedroom sizes range from between 10.05m² and 15.08m², which meets the national space standards of 7.5m² for a single room and 11.5m² for a double. Amended plans have been received adding escape doors to bedrooms 3 & 4 and no objection has been raised by the Housing Officer on floor space or amenity grounds.

All bedrooms have one or more windows, albeit receiving varying degrees of natural light. Bedroom 6 is the smallest of the rooms and only has one side facing high level obscure glazed window. While this is not ideal, the resident will also have access to the communal kitchen/ living/ dining area within the property.

Externally, the amount of amenity space has been reduced to allow two usable on site car parking spaces off the rear service alley. The main amenity space comprises a south facing yard of 18m² (excluding cycle storage) and there is a 2m wide strip of land at the side of the property with direct access from the ground floor bedrooms and main kitchen/ dining area (measuring 34m²). The size and layout of the outdoor areas provides just about sufficient space for the residents to be able to sit outside, dry washing etc. It is also noted that the site is within easy walking distance of Leigh Road recreational ground.

Highways and Parking

The scheme provides two off road car parking spaces, which matches the car parking provision for the neighbouring seven bedroom HMO's at 107 & 109 Leigh Road. Tracking details have been provided demonstrating that the car parking spaces are accessible from the rear service road.

No objection has been raised by the Transport Officer, and while it is recommended that the spaces would be allocated to specific residents this would not be enforceable by condition. It is however noted that the proposal is unlikely to lead to additional on street parking as the site is within a controlled parking zone and as the site is within a very sustainable area it would be possible for residents to be car free.

On site cycle and bin storage has been provided with access from the rear service alley.

Noise and Air Pollution

The site fronts onto Leigh Road, which is one of the main approaches into Eastleigh Town Centre. In order to reduce traffic noise & air pollution inside the property the Applicant intends to use a mechanical ventilation system, acoustic glazing and avoid drawing in polluted air from the road facing facades. A noise and air pollution assessment will be secured via a planning condition.

The site is one half of a semi-detached property, of which the other half was previously used as a nursery. While the building is currently vacant, it could reasonably be used as an alternative Class E use (commercial, business and service) without requiring further planning permission. Therefore commercial noise transfer into the HMO, would need to be covered by the noise impact assessment, this could include measures such as sound proofing to the party wall and acoustic fencing next to the amenity area.

No objection has been raised by the Environmental Health Officer, subject to appropriate conditions.

Residential Amenity

The single storey extension and roof alterations are not considered to unacceptably impact the outlook or daylight of neighbouring properties. In terms of overlooking, the existing two first floor side windows will be obscure glazed and the window for bedroom 6 will also be changed to high level. The proposed dormer has its main windows at the front, facing onto Leigh Road. The development accords with the amenity guidance set out in the 'Quality Places' SPD.

Ecology

No objection has been raised by the Ecology Officer and the property does not contain any potential bat roost features. The proposal is not required to provide a 10% biodiversity net gain, although it would be reasonable to include some on site biodiversity enhancements (such as bat & bird bricks).

Impact of SPA:

Recreational Disturbance

The site is within both the 5.6km catchment area for the Solent Special Protection Area and Ramsar Site and the 13.8km catchment area for the New Forest Special Protection Area. It is recognised that new housing developments within these catchment areas are likely to result in additional visitors to these protected sites. To mitigate for this impact the developer has paid a contribution towards the Solent Recreation Mitigation Strategy (which manages visitors to the coastline) and the Council's New Forest Mitigation Strategy (which provides Suitable Alternative Natural Green Spaces within the borough and funds a ranger post within the New Forest).

Nutrients

The site is within the impact zone for nitrogen and phosphorus, which has been shown to have a determinantal impact on the water quality of the River Itchen/ Southampton and Solent Water Special Protection Area. A nutrient budget has been submitted for the development and this has a positive output for nitrogen. The applicant intends to use the Eastleigh Borough Council scheme to mitigate for these increases and this will be secured by a pre- occupation condition.

An appropriate assessment under the habitat regulations has been completed for the development. No response has been received from Natural England and so it is assumed that the appropriate assessment is acceptable.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) states:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

It is considered that this application does not raise any equality implications.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Recommendation:

PERMIT ☒**REFUSE** ☐

Comments ...